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7 UNITED STATES DISTRICT COURT,  
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9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) Case No. 1:23-CR-00232-NODJ-BAM  
11 Plaintiff, ) STIPULATION REGARDING  
12 vs. ) EXCLUDABLE TIME PERIODS UNDER  
13 MIGUEL CALVILLO AGUSTIN ) SPEEDY TRIAL ACT; ORDER  
14 Defendant. )  
15 \_\_\_\_\_ )

16 **STIPULATION**  
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18 Defendant, MIGUEL CALVILLO AGUSTIN, by and through defendant=s counsel of  
19 record and Plaintiff United States of America, by and through its counsel of record, hereby  
20 stipulate as follows:

21 1. By previous order, this matter was set for status conference on 10/23/2024.

22 2. By this stipulation, defendants now move to vacate the status conference and continue  
23 the Status Conference to April 9, 2025, and time is excluded between October 23, 2024, and April  
24 9, 2025 under 18 U.S.C. ' 3161(h)(7)(A), B(iv) [Local Code T4].

25 3. The parties agree and stipulate, and request that the Court find the following:

26 a) Counsel for defendant desire additional time to consult with their clients, review  
27 the voluminous discovery, conduct independent investigation, prepare for trial, and pursue  
28 a potential pretrial resolution of the case.

b) Counsel for defendant believe that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

c) The government does not object to the continuance.

d) The parties will be prepared to set a trial date at the next status conference if this matter remains unresolved.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. ' 3161, et seq., within which trial must commence, the time period of 10/23/2024 to 6/17/2025, inclusive, is deemed excludable pursuant to 18 U.S.C.' 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant=s request on the basis of the Court=s finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

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1 IT IS SO STIPULATED.  
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3 Date: October 21, 2024

STEPHANIE STOKMAN

5 United States Attorney

6 /s/ STEPHANIE STOKMAN

7 STEPHANIE STOKMAN

8 Assistant United States Attorney

9 VICTOR M. PEREZ  
10 THE PEREZ LAW FIRM

11 /s/ VICTOR M. PEREZ  
12 VICTOR M. PEREZ  
13 Counsel for Defendant,

14 MIGUEL CALVILLO AGUSTIN

15 **ORDER**

16 IT IS SO ORDERED that the status conference is continued from October 23, 2024, to  
17 **April 9, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.**

18 Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

19 IT IS SO ORDERED.

20 Dated: October 21, 2024

21 /s/ Barbara A. McAuliffe  
22 UNITED STATES MAGISTRATE JUDGE

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27 STIPULATION REGARDING EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL  
28 ACT; ORDER